THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No. 18965 of 2007

Dated: 06.10.2007

Between:

K. Sri Ranganatha Rao. .

..Petitioner.

and

The DHFL Vysya Housing Finance Ltd., Bangalore, rep. by its Authorised Officer and others.

..Respondents.

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W.P.No.18965 of 2007

ORDER:

This Court ordered notice before admission on 07.09.2007 and status quo to be maintained for a period of four weeks.

2. Counter affidavit is filed by the second respondent. It is stated that though the affidavit filed in support of the writ petition was signed by the deponent- Ranganatha Rao, it is shown that P.Chennamma is sworn to the affidavit. It is stated that it is a bona fide mistake.

3. Be that as it may, several facts had been narrated in the affidavit filed in support of the writ petition and the counter-affidavit in detail had been filed by the second respondent. Specific stand was taken that the petitioner is having an effective alternative remedy under Section 17 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. This Court is not inclined to advert all the controversies raised by the parties in the respective pleadings, i.e., the affidavit filed in support of the writ petition and also the counter-affidavit filed by the second respondent. The writ petitioner is given liberty to pursue the appropriate remedy by way of appeal. To enable him to invoke such remedy. Inasmuch as status quo had already been

granted by this Court, the same should be operative for a period of two weeks.

The Writ Petition is disposed of accordingly. No order as to costs.

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P.S.NARAYANA, J

Dated: 06.10.2007

sj